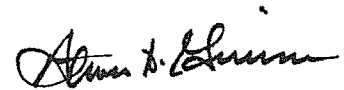


EXHIBIT “A”

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CLERK OF THE COURT

1 COMP
2 Justin G. Randall, Esq.
3 Nevada Bar No. 12476
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6 Las Vegas, Nevada 89147
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10 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

11 KATHLYN ROSE MERCADO TALABA,
12 individually;

13 Plaintiff,

14 v.

15 CHARLOTTE MARIA JONES, individually;
16 FOX RENT A CAR, INC., a California
17 Corporation; DOES I – X; and ROE
18 CORPORATIONS I - X, inclusive,

19 Defendants.

Case No. A - **17 - 751367 - C**
Dept. No.

VII

COMPLAINT

20 Plaintiff complains as follows:

GENERAL ALLEGATIONS

- 21 1. Plaintiff is, and at all times relevant herein, was a resident of Clark County, Nevada.
- 22 2. The actions complained of herein occurred in Clark County, Nevada.
- 23 3. The true names and capacities of the Defendants designated herein as Doe or Roe
24 Corporations are presently unknown to Plaintiff at this time, who therefore sues said Defendants by such
25 fictitious names. When the true names and capacities of these defendants are ascertained, Plaintiff will
26 amend this Complaint accordingly.
- 27 4. At all times pertinent herein, Defendants were agents, servants, employees or joint venturers
28 of every other Defendant, and at all times mentioned herein were acting within the scope and course of said
agency, employment, or joint venture, with knowledge and permission and consent of all other named
Defendants.

...

6. Defendant CHARLOTTE MARIA JONES was at all times mentioned herein the operator of a 2015 Toyota Yaris (hereinafter referred to as “the Vehicle”).

7. Defendant FOX RENT A CAR, INC. is, and at all times mentioned herein, was a California Corporation, licensed to do business in Clark County, Nevada

8. Defendant FOX RENT A CAR, INC. is, and at all times mentioned herein, was the owner of the Vehicle.

9. On May 2, 2016, Defendant CHARLOTTE MARIA JONES negligently operated the Vehicle, causing a collision with the vehicle containing Plaintiff.

10. As a direct and proximate result of the negligence of Defendants, Plaintiff sustained serious injuries to his bodily limbs, organs and systems, all or some of which condition may be permanent and disabling, and all to Plaintiff's damage in a sum in excess of \$10,000.00.

11. As a direct and proximate result of the negligence of Defendants, Plaintiff received medical and other treatment for the aforementioned injuries, and said services, care, and treatment are continuing and shall continue in the future, all to the damage of Plaintiff.

12. As a direct and proximate result of the negligence of Defendants, Plaintiff has been required to, and has limited occupational and recreational activities, which have caused and shall continue to cause Plaintiff loss of earning capacity, lost wages, physical impairment, mental anguish, and loss of enjoyment of life, in a presently unascertainable amount.

13. As a direct and proximate result of the aforementioned negligence of all Defendants, Plaintiff has been required to engage the services of an attorney, incurring attorney's fees and costs to bring this action.

FIRST CAUSE OF ACTION

(Negligence Against Defendant CHARLOTTE MARIA JONES)

FIRST CAUSE OF ACTION

(Negligence Against Defendant CHARLOTTE MARIA JONES)

14. Plaintiff incorporates paragraphs 1 through 13 of the Complaint as though said paragraphs were fully set forth herein.

15. Defendant CHARLOTTE MARIA JONES owed Plaintiff a duty of care to operate the

Vehicle in a reasonable and safe manner. Defendant CHARLOTTE MARIA JONES breached that duty of care by contributing to an accident on the roadway. As a direct and proximate result of the negligence of Defendant CHARLOTTE MARIA JONES, Plaintiff has been damaged in an amount in excess of \$10,000.00.

SECOND CAUSE OF ACTION

(Negligence Per Se Against Defendant CHARLOTTE MARIA JONES)

16. Plaintiff incorporates paragraphs 1 through 15 of the Complaint as though said paragraphs were fully set forth herein.

17. The acts of Defendant CHARLOTTE MARIA JONES as described herein violated the traffic laws of the State of Nevada and Clark County, constituting negligence per se, and Plaintiff has been damaged as a direct and proximate result thereof in an amount in excess of \$10,000.00.

THIRD CAUSE OF ACTION

(Negligent Entrustment Against Defendant FOX RENT A CAR, INC.)

18. Plaintiff incorporates paragraphs 1 through 17 of the Complaint as though said paragraphs were fully set forth herein.

19. Defendant FOX RENT A CAR, INC. was at all relevant times the owner of the Vehicle.

20. Defendant FOX RENT A CAR, INC. entrusted control of the Vehicle to Defendant CHARLOTTE MARIA JONES.

21. Defendant CHARLOTTE MARIA JONES was incompetent, inexperienced, or reckless in the operation of the Vehicle.

22. Defendant FOX RENT A CAR, INC. knew or, by the exercise of reasonable care should have known, that Defendant CHARLOTTE MARIA JONES was incompetent, inexperienced, or reckless in the operation of the Vehicle.

23. Plaintiff was injured as a proximate consequence of the negligence and incompetence of Defendant CHARLOTTE MARIA JONES, resulting from the negligent entrustment by Defendant FOX RENT A CAR, INC.

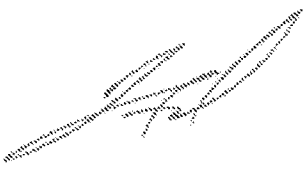
24. As a direct and proximate cause of the negligent entrustment of the Vehicle by Defendant FOX RENT A CAR, INC., Plaintiff has been damaged in an amount in excess of \$10,000.00.

1 WHEREFORE, Plaintiff expressly reserves the right to amend this complaint prior to or at the time
2 of trial of this action, to insert those items of damage not yet fully ascertainable, prays judgment against all
3 Defendants, and each of them, as follows:

- 4 1. For general damages sustained by Plaintiff in an amount in excess of \$10,000.00;
- 5 2. For special damages sustained by Plaintiff in an amount in excess of \$10,000.00;
- 6 3. For reasonable attorney's fees and costs;
- 7 4. For property damages sustained by Plaintiff KATHLYN ROSE MERCADO TALABA;
- 8 5. For interest at the statutory rate; and
- 9 6. For such other relief as the Court deems just and proper.

10 GLEN LERNER INJURY ATTORNEYS

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Justin G. Randall, Esq.
Nevada Bar No. 12476
4795 South Durango Drive
Las Vegas, Nevada 89147
Attorneys for Plaintiff

A - 17 - 751367 - C
VII

DISTRICT COURT CIVIL COVER SHEET

CLARK

County, Nevada

Case No. _____

(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

KATHLYN ROSE MERCADO TALABA, individually

Defendant(s) (name/address/phone):

CHARLOTTE MARIA JONES, individually;

FOX RENT A CAR, INC., a California Corporation

Attorney (name/address/phone):

JUSTIN G. RANDALL, ESQ. (12476)

4795 S. DURANGO DR.

LAS VEGAS, NV 89147

(702) 877-1500

Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property		Negligence <input checked="" type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract		Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

Business Court filings should be filed using the Business Court civil cover sheet.

02/20/17

Date

Signature of initiating party or representative

See other side for family-related case filings.